

V.1

MEMO TO: City Council

FROM: Rosemarie Ives, Mayor

DATE: March 2, 2004

SUBJECT: AVON VILLA NOTICE OF INTENT FOR ANNEXATION

I. RECOMMENDED ACTION

Meet with property owners who filed the Notice of Intent for the area known as the Avon Villa Annexation, move to accept the Notice of Intent, and authorize the circulation of a Direct Petition through adoption of the motion shown in Attachment A and move to waive the development application fee of \$1,787.

II. DEPARTMENT CONTACT PERSONS

Roberta Lewandowski, Director of Planning and Community Development, 425-556-2447
Rob Odle, Planning Policy Manager, 425-556-2417
Dianna Broadie, Senior Planner, 425-556-2414

III. DESCRIPTION/BACKGROUND

On February 2, 2004, the City received an application from Manufactured Housing Community Preservationists (MHCP) to annex 13 acres in the Bear Creek neighborhood. The property is located at the southeast corner of NE 116th Street and Avondale, and extends west to Bear Creek and south to the electric transmission line.

GENERAL

The MHCP is a non-profit organization that worked with the City to preserve this older mobile home park. There was an understanding at the time that the trailer park would be annexed to the City at a future date. Currently, because the property is outside of the City, there is a sewer surcharge of 25% added to a portion of the sewer bill (all but the County wastewater component). The non-profit would like to be able to annex to the City to reduce the sewer charges and pass the savings on to the tenants.

When MHCP discussed the annexation proposal with staff, staff indicated that it would be a more logical annexation boundary to include the properties up to the corner of Avondale and NE 116th Street. This includes all properties up to the Urban Growth Boundary in the NE portion of Redmond. MHCP has agreed. (See Exhibit A of Attachment B)

The attached Notice of Intent, if accepted by the City of Redmond, would indicate the City's preliminary interest in pursuing this annexation. In essence, it would authorize staff and property owners to undertake the necessary work to complete the annexation.

The signatures on the attached Notice of Intent represent 76% of the acreage and at least 45% of the assessed value (the value based on an exemption status). This satisfies either of the petition methods allowed by state law. (See Attachment B, Notice of Intent)

The applicant has also requested a waiver of the application fee and of the sewer surcharge during the period that the application is being processed. (See Attachment C)

FEE WAIVERS

The applicant is a non-profit organization whose mission is to preserve affordable housing. Waiver of the application fee will enable the organization not to divert funds from its primary mission. Redmond Community Development Guide section 20F.30.20-070(3) allows a waiver of the application fee for affordable housing.

The sewer surcharge is currently levied on all properties outside the City. MCHP has stated that it passes the cost through to the residents. Staff does not recommend waiver of the utility fee. However, if the annexation is expedited by the applicant, the surcharge will be eliminated.

ANNEXATION

A. Facts/Conclusions

1. Size of Annexation Area: 13 Acres

2. Land Use/Zoning:

The current land use consists of a gas station, a convenience store, a lodge, an auto repair shop and a trailer park. The area is within King County's Bear Creek Planning Area, with an Urban Residential (4-18 units/acre) and Neighborhood Business land use designation and is presently zoned R-18, Office, and Neighborhood Commercial by the County. (See Attachment D)

Redmond land use plan policies provide for annexations to receive zoning consistent with the City's current plan designation. The Redmond Comprehensive Plan designation is a combination of Moderate Density Residential and Neighborhood Commercial, which allows from 8 to 18 units/acre and limited commercial respectively. This area has pre-annexation zoning of R-18 and NC. (See Attachment E)

3. Utility Issues:
The properties along Avondale currently have water and sewer service provided by the City.
4. Roadway Maintenance and Standards:
There are no roadways proposed for annexation with this area.
5. Policing Issues:
Served by King County Sheriff (and Redmond Police for emergencies, since Redmond Police can provide faster response time). If annexed, Redmond could offer crime prevention training for the commercial enterprises that is now unavailable from the County.

B. Consistency with City Annexation Policies

Annexation Criteria

A-44 Redmond should consider requests for annexation for properties within the Potential Annexation Area.

The area is within Redmond's potential annexation area in the Comprehensive Plan and is located inside the urban growth area. Comprehensive Plan Policy A-44 encourages annexations within the potential annexation area when consistent with Policies A-44 to A-53.

A-45 The proposed land uses and zoning shall comply with the Comprehensive Plan. (See Policy A-20 for Redmond's policy on pre-annexation zoning)

This area has pre-annexation zoning adopted already that was consistent with the Comprehensive Plan designation and policies.

A-46 Individual annexation areas should be part of logical, orderly growth for the city and should avoid irregular boundaries. Islands of unincorporated areas and city peninsulas should be avoided. Peninsulas should be allowed only if needed to serve other areas. Lands closest to city boundaries should annex before areas further out.

Except to the south the boundaries are clearly delineated by road or natural features. This area extends to the Urban Growth boundary on all sides.

A-47 Individual annexations should make it possible to assign responsibility for the construction and maintenance of roads and intersections to a single jurisdiction.

The proposed annexation boundary does not include any roadways.

A-48 Individual annexations should improve environmental quality through identification and protection of open space corridors, preservation of environmentally sensitive areas, dedication and construction of trail and park systems, protection of aquifer recharge areas and maintenance of existing flora and fauna, where appropriate.

The area is fully built out at this time. By annexing this area, the land along Bear Creek would be protected by the City's sensitive areas regulations should redevelopment occur.

A-49 Funding Public Facilities in Annexed Areas.

- a. **The property owners should fund the public facility improvements necessary to serve new development. The funding requirements shall be consistent with applicable City of Redmond policies and regulations.**
- b. **If an area annexing to Redmond requires public facility improvements to correct health and safety-related problems, the property owners within the annexed area should fund these improvements.**
- c. **If an area annexing to Redmond has public facilities that do not meet City standards, and the property owners or residents want to improve the facilities to meet City standards, the property owners should fund those improvements, or the proportion of those improvements, that do not have a citywide benefit. The property owners are not required to improve these facilities, but may choose to do so.**
- d. **Public facility improvements within annexed areas that have a citywide benefit should be considered for funding through City revenues as part of the Redmond capital facilities and improvements planning processes.**

If redevelopment occurred the owners would fund public facilities. Public facilities for the trailer park have already been funded through assistance of the City for the purposes of maintaining affordable housing stock.

A-50 Newly annexed territory should assume its equitable share of the City's bonded indebtedness.

Assumption of bonded indebtedness is a condition of annexation. This condition is stated in the formal annexation petition.

A-51 Redmond shall not annex designated rural areas unless it is necessary to connect urban areas.

The area is not rural. It is within the Urban Growth Area.

A-53 Applicants for annexations are encouraged to apply jointly with other interested property owners or residents to reduce costs for the applicants and enable the City to process annexation applications more efficiently.

The City requested that the applicant include the other properties surrounding it in the annexation area, and the Notice of Intent indicates the intent to include these properties.

IV. IMPACT

- A. Service Delivery:** The impacts to the City would be the cost of police response to the newly annexed area. The area remains in Fire District # 34. The City would be receiving revenues from property taxes, utility taxes, and sales tax from the commercial uses.
- B. Fiscal:** As requested, the staff time to process the annexation would not be offset by the \$1,786.94 application fee. Upon annexation, the additional property and utility taxes and sales tax would offset the cost of providing services to the area.
- C. Other:** If the Notice of Intent to annex is approved, the annexation will be complete when approved by the Washington State Boundary Review Board for King County, and when the petition is approved by ordinance by the Redmond City Council.

V. ALTERNATIVES

- A. The Council may approve** the Notice of Intent and authorize the circulation of the Direct Petition by adopting the proposed motion, Attachment A, as recommended by staff together with approval of the application development fee waiver.
- B. The Council may deny** the Notice of Intent, indicating no interest in annexing, and leave the property in unincorporated King County.

C. **The Council may approve** the notice of intent, but not waive the application fee.

VI. TIME CONSTRAINTS

The Council is required to respond to applicants for annexation within sixty days from the submission of a Notice of Intent to approve or deny the circulation of a petition.

VII. LIST OF ATTACHMENTS

Attachment A: Proposed Motion

Attachment B: Notice of Intent Petition

Exhibit A: Map of Annexation Area

Attachment C: MCHP Application

Attachment D: King County Zoning Map of Annexation Area

Attachment E: City of Redmond Zoning Map of Annexation Area

/s/

Roberta Lewandowski, Planning Director

2/21/04

Date

Approved for Council Agenda: /s/

Rosemarie Ives, Mayor

2/23/04

Date

ATTACHMENT A

PROPOSED MOTION

I move that the annexation proposed by the "Notice of Intent to Petition for Annexation", **Avon Villa Annexation**, filed with the City on February 2, 2004 or some smaller portion thereof, be accepted and the Direct Petition be authorized for circulation. The Direct Petition must indicate that territory within the annexation contemplated shall be subject to the following conditions:

1. All property within the proposed annexation area shall be assessed and taxed at the same rate and on the same basis as the property of the City of Redmond is assessed and taxed to pay for the portion of any then outstanding indebtedness of the City of Redmond, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at, the date of annexation.
2. All property within the proposed annexation area shall be subject to the Redmond Community Development Guide and the subsequent proceeding pursuant thereto.
3. Zoning for the proposed annexation area shall be Neighborhood Commercial and R-18 residential as indicated respectively by the City zoning map under NCP and R-18P (pre-annexation zoning) boundaries.
4. The applicant agrees to a recordation of a protection easement for protection of Bear Creek either prior to or within a reasonable period subsequent to the annexation.

File No. _____

**NOTICE OF INTENT
TO COMMENCE ANNEXATION PROCEEDINGS**

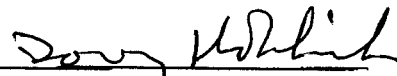
ANNEXATION NAME AVONVILLA

Total Area (size in acres) 13 Total Acreage Represented by the signatures 9.84

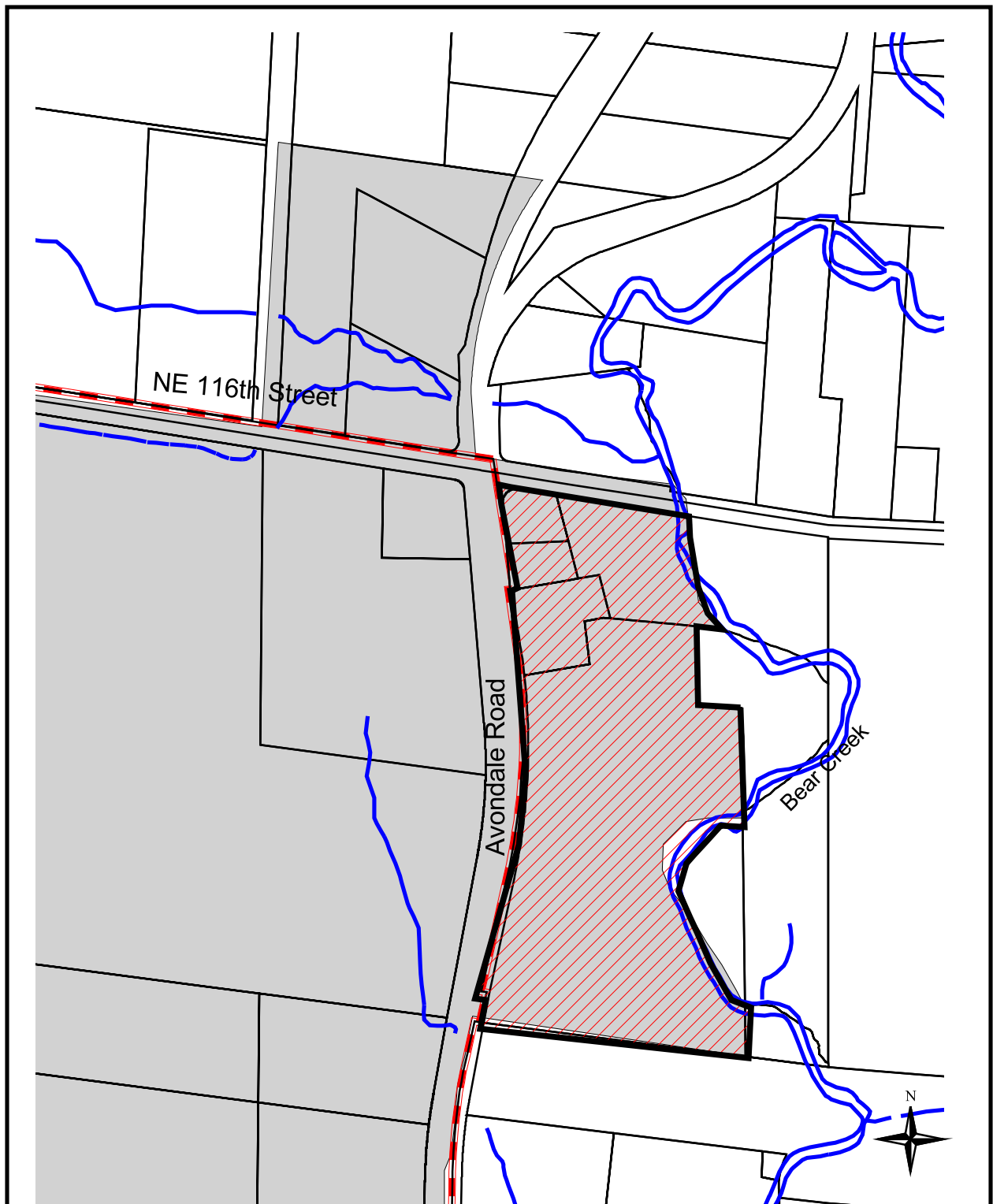
I/We, the undersigned, being the owners of not less than ten percent (10%), of the acreage of the real property shown on Exhibit "A" attached hereto, lying contiguous to the City of Redmond, Washington, do hereby petition that such territory be annexed to and made a part of the City of Redmond under the provisions of RCW 35A.14.10 et seq., and any amendments thereto, of the State of Washington.

WHEREFORE, the undersigned respectively petition the Honorable Mayor and City Council and ask that appropriate actions be taken to authorize circulation of the "Direct Petition."





WARNING: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or signs this petition when he is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

1. NAME (Print) DOUG HOBKIRK SIGNATURE 
ADDRESS PO BOX 22167, SEATTLE WA 98122 DATE 01.30.04
PROPERTY DESCRIPTION 312606-9106
(Section and tax lot number or subdivision and lot number)
2. NAME (Print) _____ SIGNATURE _____
ADDRESS _____ DATE _____
PROPERTY DESCRIPTION _____
(Section and tax lot number or subdivision and lot number)
3. NAME (Print) _____ SIGNATURE _____
ADDRESS _____ DATE _____
PROPERTY DESCRIPTION _____
(Section and tax lot number or subdivision and lot number)
4. NAME (Print) _____ SIGNATURE _____
ADDRESS _____ DATE _____
PROPERTY DESCRIPTION _____
(Section and tax lot number or subdivision and lot number)
5. NAME (Print) _____ SIGNATURE _____
ADDRESS _____ DATE _____
PROPERTY DESCRIPTION _____
(Section and tax lot number or subdivision and lot number)
6. NAME (Print) _____ SIGNATURE _____
ADDRESS _____ DATE _____
PROPERTY DESCRIPTION _____
(Section and tax lot number or subdivision and lot number)

Attachment B



Legend

-  City Limit
-  Urban Growth Area
-  Streams
-  Annexation Area

Avon Villa Annexation

Exhibit A

MHCP

The Manufactured Housing Community Preservationists
PO Box 22167, Seattle, WA 98122-0167
voice 206.324.0663 fax 206.324.0126

Vue
Paradise
Avon Villa
Empire View

FACSIMILE TRANSMISSION

DATE:	01.30.04
TO:	DIANNA BRADIE
AT:	CITY OF REDMOND 425 556 4242
FROM:	Doug Hobkirk, Executive Director, MHCP
RE:	AVON VILLA ANNEXATION

DIANNA -

HERE IS THE APPLICATION + RESOLUTION
BY OUR BOARD OF DIRECTORS.

SINCE WE WERE PROMPTED BY THE "OUT
OF CITY LIMITS SURCHARGE" IN SEEKING
ANNEXATION, & SINCE WE HAD AGREED
TO NOT CONTEST ANNEXATION IN OUR
1997 CONTRACT WITH REDMOND, AND
SINCE WE SERVE LOW INCOME HOUSE-
HOLDS, MY BOARD WONDERED IF WE
COULD BE EXEMPT FROM THE SURCHARGE
DURING THE ANNEXATION PROCESS?

IN A SIMILAR VEIN, SINCE WE WERE
TOLD THAT WE MIGHT BE ANNEXED &
AGREED TO NOT CONTEST IT, & IN LIGHT
OF OUR NONPROFIT STATUS, ETC, COULD
WE HAVE THE APPLICATION FEE WAIVED.

I REALIZE THAT YOU ARE NOT ENTRUSTED
WITH THE MAGIC RING OF FINANCIAL
EXEMPTION AND EXCEPTION. IS THERE
A KNOWN PROCESS BY WHICH WE COULD
REQUEST THESE THINGS.

Attachment C



King County

Home

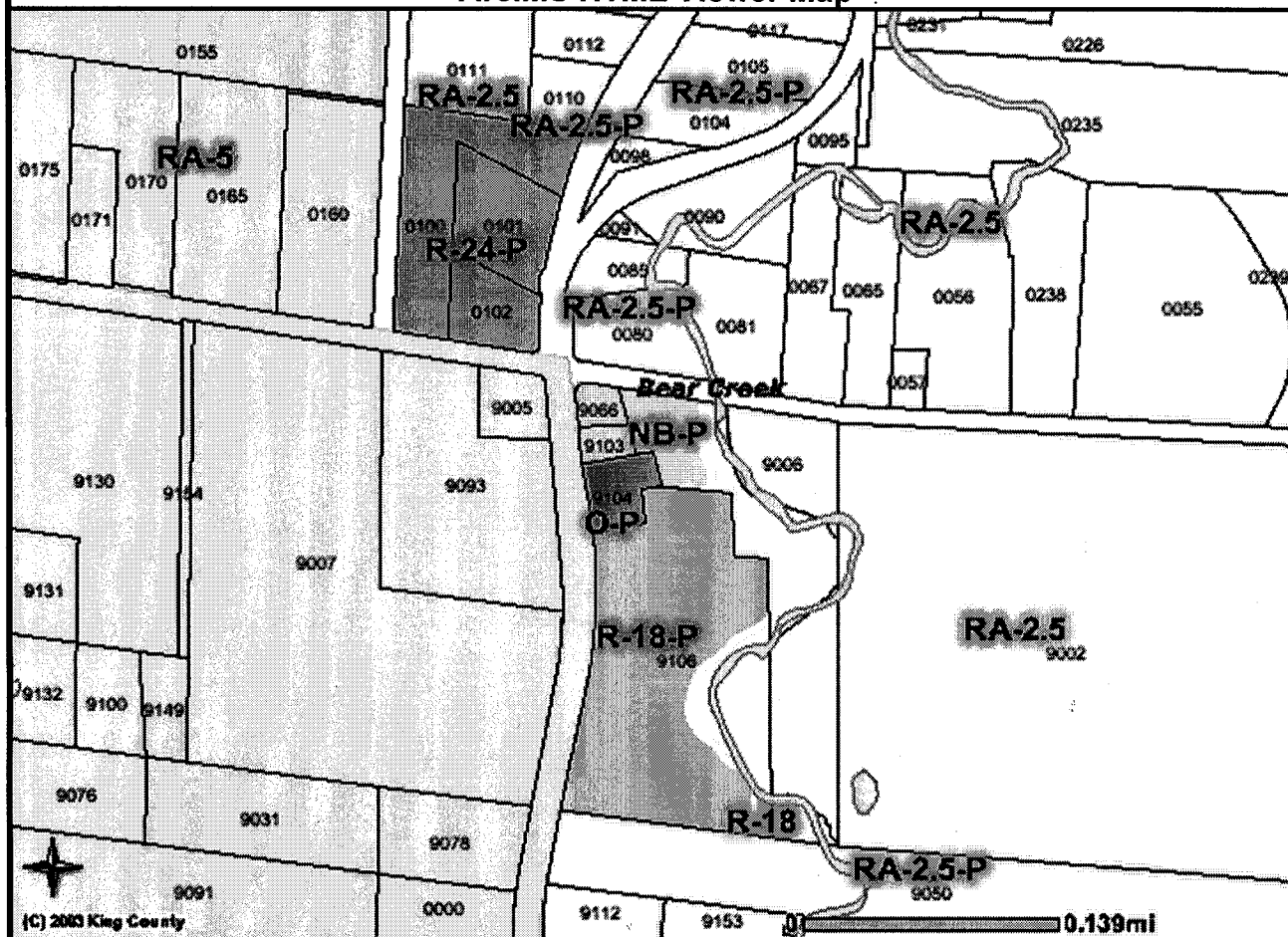
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Legend

County Boundary

Lakes and Large Rivers

Parcel

Incorporated Area

Zoning Labels

Zoning

A-10 - Agricultural, one DU per 10 acres

A-35 - Agricultural, one DU per 35 acres

F - Forest

M - Mineral

(cont)

RA-2.5 - Rural Area, one DU per 5 acres

RA-5 - Rural Area, one DU per 5 acres

RA-10 - Rural Area, one DU per 10 acres

UR - Urban Reserve, one DU per 5 acres

R-1 - Residential, one DU per acre

R-4 - Residential, 4 DU per acre

R-6 - Residential, 6 DU per acre

R-8 - Residential, 8 DU per acre

R-12 - Residential, 12 DU per acre

R-18 - Residential, 18 DU per acre

(cont)

R-24 - Residential, 24 DU per acre

R-48 - Residential, 48 DU per acre

NB - Neighborhood Business

CB - Community Business

RB - Regional Business

O - Office

I - Industrial

Other

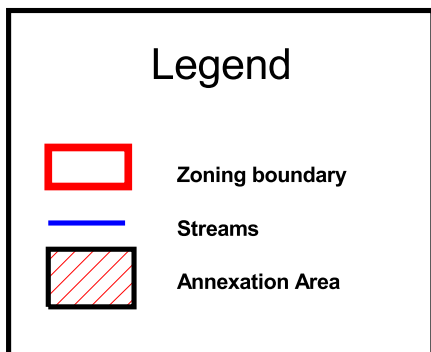
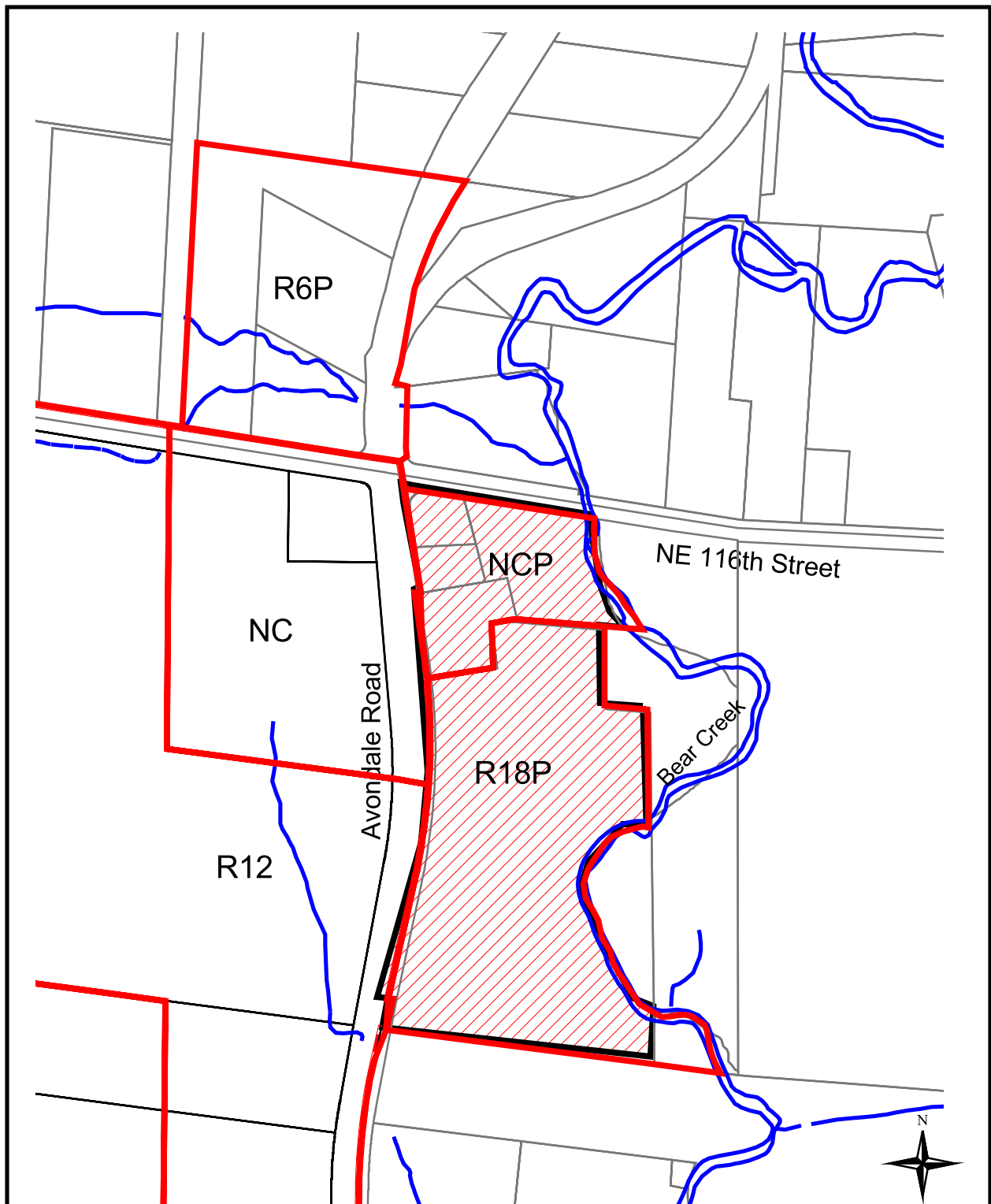
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ZONING MAP OF ANNEXATION AREA

Attachment D



Avon Villa Zoning Map

Attachment E